

MAY 10 2006

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Of: )  
NORIHIKO FURUTA ) Certificate of Facsimile Transmission  
Application No. 10/630,612 )  
Filed: 07/30/2003 ) I hereby certify that this correspondence is  
Group Art Unit: 3754 ) being transmitted by facsimile to the U.S.  
Examiner: James F. Hook ) Patent and Trademark Office on the date  
HOSE WITH CORRUGATED ) shown below. The telephone No. is  
METAL TUBE ) (571) 273-8300.  
 )  
 ) *Barbara A. Johnson* 5-10-06  
 ) Barbara A. Johnson Date  
)

SUBSTITUTE TERMINAL DISCLAIMER TO OBLIGATE A DOUBLE PATENTING  
REJECTION OVER A PENDING APPLICATION AND A PRIOR PATENT

Commissioner for Patents  
Box: FEE  
Washington, D.C. 20231

Sir:

The owner, Tokai Rubber Industries, Ltd., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of a patent granted on prior Appln. No. 10/619,897, filed on July 15, 2003. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the prior application are commonly owned. This agreement runs with any patent granted on the instant applications and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of a patent granted on the

NORIHIKO FURUTA

Appln. No. 10/630,612

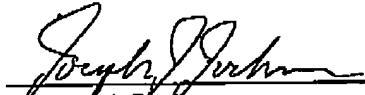
13

prior application, as presently shortened by any terminal disclaimer, in the event that the patent granted on the prior application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer filed prior to its grant.

Please apply the Terminal Disclaimer fee of \$130.00 under 37 C.F.R. 1.20(d) included with a prior Amendment dated April 28, 2006. Please charge any additional fee or deficiency to Deposit Account No. 01.2000.

The undersigned is an attorney of record.

10 May '06  
Date

  
Joseph J. Jochman  
Reg. No. 25,058

Appln. No. 10/630,612  
Substitute Terminal Disclaimer dated May 10, 2006  
Reply to Office Action of January 11, 2006

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**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**TRANSMITTAL OF SUBSTITUTE TERMINAL DISCLAIMER**

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The enclosed Substitute Terminal Disclaimer to Obviate a Double Patenting Rejection over a Pending Application is being submitted to replace the Terminal Disclaimer to Obviate a Double Patenting Rejection over a Pending Application and a Prior Patent, filed with an Amendment dated April 28, 2006.

Appln. No. 10/630,612  
Substitute Terminal Disclaimer dated May 10, 2006  
Reply to Office Action of January 11, 2006

REMARKS

A Supplemental Amendment was filed in the subject application on May 9, 2006 to correct a matter of non-compliance in the Amendment dated April 28, 2006 and to correct an omission in claim 13.

In a telephone conference with the Examiner today, it was noted that the previously filed Terminal Disclaimer did not require a disclaimer with respect to prior Patent No. 6,866,302, but required a Terminal Disclaimer only with respect to prior Application No. 10/619,897, filed July 15, 2003.

If the Terminal Disclaimer fee submitted with the prior Terminal Disclaimer on April 28, 2006 cannot be applied to the subject Substitute Terminal Disclaimer, authorization is hereby given to charge the Disclaimer fee and any other fee or deficiency to Deposit Account No. 01.2000.

Respectfully submitted,

ANDRUS, SCEALES, STARKE & SAWALL, LLP



Joseph J. Jochman  
Reg. No. 25,058

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Attorney Docket No.: 488-00057